

DISPOSITION: 6-16-60. Default—delivered to a public institution for use as animal feed.

26496. Canned peas. (F.D.C. No. 43451. S. No. 60-002 P.)

QUANTITY: 413 cases, 24 15-oz. cans each, at Austin, Ind.

SHIPPED: On 5-6-59, 5-18-59, and 7-13-59, from Austin, Ind., by Morgan Packing Co., Inc., to Baltimore, Md., and from there returned to the shipper on 9-4-59.

LABEL IN PART: (Can) "Royal Gem Early June Peas Prepared from Dry Peas Packed by Scottsburgh Canning Co. Scottsburgh, Indiana."

LIBELED: 10-1-59, S. Dist. Ind.

CHARGE: 403(a)—when shipped, the label vignette depicting succulent green peas was false and misleading as applied to the article which was prepared from dried peas; 403(e) (2)—the article purported to be and was represented as a food for which a definition and standard of identity had been prescribed, and its label failed to bear the name "dried early green peas," as specified in such definition and standard; and 403(h) (1)—the quality of the article fell below the standard of quality for canned peas since the article contained an excessive number of ruptured peas and its alcohol-insoluble solids were more than 23.5 percent.

DISPOSITION: Between 4-1-60 and 4-12-60. Default—delivered to a local Government officer for charitable purposes.

26497. Canned pumpkin. (F.D.C. No. 44025. S. No. 69-268 P.)

QUANTITY: 164 cases, 24 1-lb. 13-oz. cans each, at Fargo, N. Dak.

SHIPPED: 11-2-59, from Owatonna, Minn., by Owatonna Canning Co.

LABEL IN PART: (Can) "Festal Brand Golden Pie Pumpkin * * * Packed by Owatonna Canning Co., Owatonna Minn."

LIBELED: 1-8-60, Dist. N. Dak.

CHARGE: 402(b) (2)—when shipped, starch had been substituted in whole or in part for pumpkin; 402(a) (3)—the article consisted in whole or in part of a filthy substance by reason of having been prepared from dirty pumpkins; and 403(i) (2)—the label of the article failed to bear the common or usual name of each ingredient.

DISPOSITION: 4-19-60. Default—destruction.

26498. Dried lima beans. (F.D.C. No. 44099. S. No. 21-583 R.)

QUANTITY: 600 100-lb. bags at Charlotte, Mich., in possession of Grand Trunk Western Railroad.

SHIPPED: 2-23-60, from San Francisco, Calif.

RESULTS OF INVESTIGATION: The article was shipped in a rodent-infested railroad car.

LIBELED: 3-24-60, W. Dist. Mich.

CHARGE: 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 4-27-60. Consent—claimed by Grand Trunk Western Railroad Co., Detroit, Mich. Segregated; 522 bags denatured.

26499. Lettuce. (F.D.C. No. 44094. S. No. 14-462 R.)

QUANTITY: 129 ctns., 24 heads each, at Nashville, Tenn.

SHIPPED: 2-26-60, from Edinburg, Tex., by Wallace Fruit & Vegetable Co.

LABEL IN PART: (Ctn.) "Produce of U.S.A. Wallace Brand Lettuce Packed & Shipped by Wallace Fruit & Veg. Co. Edinburg, Texas."

LIBELED: 3-15-60, M. Dist. Tenn.

CHARGE: 402(a)(2)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, toxaphene, which is unsafe within the meaning of 408 since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 3-24-60. Consent—destruction.

26500. Pickled mixed vegetables. (F.D.C. No. 44185. S. No. 71-961 P.)

QUANTITY: 73 cases, 4 1-gal. jars each, at Atlanta, Ga.

SHIPPED: 12-2-59, from Richmond, Calif.

LABEL IN PART: (Jar) "Sexton * * * Imported Italian & Domestic Pickled Mixed Vegetables Contains * * * Distributed by John Sexton & Co. * * * Chicago, Ill."

RESULTS OF INVESTIGATION: The article was manufactured by Giambanco Wine & Vinegar Co., Oakdale, Calif.

LIBELED: 1-14-60, N. Dist. Ga.

CHARGE: 402(a)(3)—contained *Drosophila* flies and fly parts when shipped.

DISPOSITION: 3-7-60. Default—destruction.

26501. Pickled mixed vegetables. (F.D.C. No. 44098. S. No. 88-715 P.)

QUANTITY: 33 cases, 4 1-gal. jars each, at Indianapolis, Ind.

SHIPPED: 12-2-59, from Richmond, Calif.

RESULTS OF INVESTIGATION: The article was manufactured by Giambanco Wine & Vinegar Co., Oakdale, Calif.

LIBELED: 3-22-60, S. Dist. Ind.

CHARGE: 402(a)(3)—contained insects, insect parts, and maggots when shipped.

DISPOSITION: 5-13-60. Default—destruction.

26502. Cowpeas and raisins. (F.D.C. No. 44408. S. Nos. 98-783 P, 98-787 P.)

QUANTITY: 98 120-lb. bags of cowpeas and 51 30-lb. boxes of raisins, at Savannah, Ga., in possession of Alexander Grocery Co.

SHIPPED: 11-25-58 and 12-21-59, from Fresno, Calif., and Gifford, S.C.

LIBELED: 3-29-60, S. Dist. Ga.

CHARGE: 402(a)(3)—cowpeas contained rodent urine, rodent excreta, bird excreta, and insects; raisins contained insects and insect excreta; and 402(a)(4)—cowpeas held under insanitary conditions.

DISPOSITION: 4-27-60. Consent—claimed by Alexander Grocery Co. The raisins were delivered to a charitable institution for use as animal feed, and the cowpeas were denatured for use as seed peas.

26503. Dried pigeon peas, dried lima beans, and rice. (F.D.C. No. 43550. S. Nos. 57-790/2 P.)

QUANTITY: 47 200-lb. bags of pigeon peas, 61 100-lb. bags of lima beans, and 65 100-lb. bags of rice, at Bronx, N.Y., in possession of T. J. Krikorian & Son, Inc.